

Remarks of
US Representative Edward J. Markey (D-MA)
Ranking Democrat, House Subcommittee on
Telecommunications and the Internet
Full Committee Markup on Broadcast Indecency Legislation
March 3, 2004

Thank you, Mr. Chairman. I want to commend Chairman Barton for calling this markup this morning and I want to focus my remarks on legislation addressing broadcast indecency issues. I am a cosponsor of this legislation with Subcommittee Chairman Upton, along with a number of other Committee colleagues.

We have had 3 hearings on the issue of broadcast radio and television indecency. From these hearings we have learned that the industry needs to do a better job in educating parents about the tools they already may possess or can utilize to address the myriad concerns they raise with us about what is on TV.

Millions of American families now benefit from the TV ratings system that was developed in response to the V-Chip, which stems from legislation I authored as part of the Telecommunications Act of 1996. However, we have a huge educational challenge with educating parents about how to use the TV ratings in conjunction with the V-Chip. The industry did a good job, with much fanfare, after the TV ratings system was initially finalized, in doing public service announcements and other educational messages regarding the ratings. Yet now that millions of Americans actually have at least one TV set in their homes with the V-Chip built-in, those efforts have waned in recent years.

At our recent hearings I challenged the industry to do several things to better help parents understand the TV ratings system, use

the V-Chip, and utilize available per-channel blocking technologies on cable systems.

I requested that the television industry increase its public service announcements (PSAs) about the television ratings system and V-chip, and I am happy to report that many industry participants from the networks to cable operators have agreed to do so, with some, such as Fox TV including a print advertising campaign as well. I am eager to see the specific, quantified commitment that entities intend to make good on in this area.

I also challenged the television networks to consider a couple of suggestions with respect to the broadcast of the ratings icon. I requested that the TV ratings icon appear not only at the top of a show, but also after commercial breaks when the show resumes. I also requested that the networks add a voice-over when the ratings appear to also better alert parents. The ABC television network readily agreed to both suggestions, as did Bud Paxson on behalf of his Pax network. The other 3 major networks, Fox, NBC, and CBS, have indicated they are considering it but have not committed to doing it. I hope they join ABC in doing so, because it is helpful to parents and quite frankly, it'll be difficult to understand why one network can do it and others seemingly cannot or will not. Moreover, I asked that NBC, which still continues to use a rating system that is less comprehensive than that used by everyone else in the industry, reconsider that decision.

I also challenged the cable industry, in addition to increasing its PSAs, to increase consumer awareness of the provision of the 1992 Cable Act that permits any cable subscriber to request a blocking mechanism to block out any cable channel parents find objectionable. This is an option that many subscribers simply do not know they have and I challenged the cable industry to make this option more affordable and effecting and suggested putting notices in cable bills alerting parents to this option.

I am happy to report that Comcast has risen to this challenge. Comcast has stepped forward and announced a number of steps that it is going to take, including enhanced website links to assist parents, new parental controls videos which will air on certain cable channels with step-by-step summaries, a new icon on its video-on-demand menu for parental controls, establishing a toll-free “800” number for parents to receive guidance about how to use and activate parental controls, a commitment to require networks seeking carriage on its cable systems to rate their programming, a program to offer all consumers, whether they subscribe to analog or digital cable technology, upon request and free-of-charge, the technology and assistance they need to block programming on a per-channel basis, and finally, a commitment to inform consumers about such parent-friendly programs in cable bills at least once a year. This is a laudable commitment and I salute Comcast for its response.

On the other hand, the rest of the cable industry is not stepping up to assist parents as much as they can and should. The response from the rest of the cable industry does contain certain pledges to do more in certain areas, but its program simply is not as comprehensive or as “parent-friendly” in comparison to what Comcast has said it will do. I simply do not understand why Time Warner, Cablevision, Cox, Insight, Adelphia, Charter, and other major cable systems cannot seem to remotely match Comcast’s response.

In my view, we need a comprehensive, industry-wide campaign to address this issue. This campaign must and should include every affected industry that parents rely on from the TV set manufacturers and electronics retailers, to the broadcasters, cable operators, and owners of printed and electronic TV program guides. I would like, for instance, for the TV ratings for shows to appear in TV Guide.

Again, I thank Chairman Barton for the markup and want to commend him, Ranking Member Dingell, and Subcommittee Chairman Upton for their excellent work on these issues.

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